

**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION DIRECTING STAFF TO SUBMIT THE PROPOSED LOCAL COASTAL PROGRAM (LCP) AMENDMENTS FOR CALIFORNIA COASTAL COMMISSION REVIEW AND CERTIFICATION**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

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**WHEREAS**, in 1980, the San Mateo County Board of Supervisors (Board of Supervisors) approved and the California Coastal Commission certified the San Mateo County Local Coastal Program (LCP), establishing policies, consistent with the Coastal Act, to guide development within the County's Coastal Zone while protecting coastal resources and providing coastal access for all; and

**WHEREAS**, for a development permit to be issued in the Coastal Zone, proposed development must comply with the policies of the LCP and those ordinances adopted to implement the LCP; and

**WHEREAS**, in 1980, the Board of Supervisors recognized an existing and anticipated shortage of affordable housing for the Midcoast area and designated the subject parcel (APN 037-022-070) as an "affordable housing" site; and

**WHEREAS**, in 1986, the Board of Supervisors approved, and the California Coastal Commission certified the rezoning of the subject parcel to Planned Unit

Development (“PUD”) to enable the construction of a mixed market rate/affordable housing development (known as Farallone Vista) consisting of 148 dwelling units; and

**WHEREAS**, due to various issues including a State imposed moratorium on new service connections by the Citizens Utility Water Company (the private water supplier to Montara/Moss Beach at that time), the Farallone Vista project was not constructed, however, the PUD zoning (which allows 148 dwelling units) remains in effect; and

**WHEREAS**, the Mid-Peninsula Housing Corporation, on July 17, 2018 submitted an application (revised on April 15, 2019) to change the PUD zoning on the subject parcel, to allow only 71 affordable dwelling units with no market rate housing component, thus reducing the potential impacts that the existing zoning could generate while providing additional affordable housing units at a time when the State has declared a “housing crisis” and passed several laws that encourage housing development and, in some cases, limit local control over new housing development; and

**WHEREAS**, in order to fully implement the LCP’s Land Use Plan, the subject property’s zoning must be amended to reflect the reduced scope of the project; and

**WHEREAS**, the proposed rezoning is consistent with the County’s LCP; and

**WHEREAS**, the proposed rezoning will be a desirable guide for the future growth of this area of the County, will not be detrimental to the character, social, and economic stability of this area and its environs, will assure the orderly and beneficial

development of this area, and will be in harmony with the zoning in adjoining unincorporated areas; and

**WHEREAS**, the proposed rezoning will obviate the menace to the public safety resulting from land uses proposed adjacent to Cabrillo Highway, the highway in the County adjacent to the proposed development, and will not cause undue interference with existing or prospective traffic movements on said highways; and

**WHEREAS**, the proposed rezoning has been designed to cluster development near the center of the parcel and preserve approximately half the site as open space and will provide adequate light, air, privacy, and convenience of access to the subject property, and said property will not be made subject to unusual or undue risk from fire, inundation, or other dangers, and will not result in overcrowding of the land or undue congestion of population; and

**WHEREAS**, on June 10, 2020, after consideration of the entire record, including public comments, the Planning Commission recommended that the Board of Supervisors transmit the proposed amendments to the County's Local Coastal Plan and Zoning Regulations to the California Coastal Commission for certification; and

**WHEREAS**, it is the intent of San Mateo County to carry out the proposed amendments in a manner that is in full conformity with the Coastal Act.

**NOW THEREFORE, BE IT RESOLVED** that the San Mateo County Board of

Supervisors:

- 1) Amends, subject to California Coastal Commission certification, the San Mateo County Local Coastal Plan Land Use Designation of one property, Assessor's Parcel Number 037-022-070, from Medium High Density Residential to Medium Density Residential.
  
- 2) Amends, subject to California Coastal Commission certification, the San Mateo County Local Coastal Plan Land Use Plan to change the text of Policy 3.15(d) as follows:
  - a. *Evaluate proposals to develop the designated or other appropriate sites according to the following criteria:*
    - (1) *For the total 11-acre North Moss Beach site, development must help meet LCP housing objectives by meeting the following criteria:*
      - (a) ~~*Twenty-one percent (21%) of the total units constructed on the site are reserved for low income households.*~~
  
      - (b) ~~*In addition to the required low income units, fourteen percent (14%) of the total units constructed are reserved for moderate income households.*~~
  
- 100% of the total units constructed on the site (with the exception of a manager's apartment) are reserved for low-income households (defined as households earning up to 80% of the AMI).*
  
- 3) Amends, subject to California Coastal Commission certification, the San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Chapter 2 (Districts), Section 6115 (Sectional District Maps), and Appendix A (Special Districts and Planned Unit Developments) which are components of the LCP

Implementation Plan. The proposed Ordinance, attached as Exhibit A, changes the zoning designation of one property, Assessor's Parcel Number 037-022-070 to Planned Unit Development No. 140 (PUD-140), adds the Design Review Zoning Overlay to this property, and replaces the regulations applicable to the former PUD to regulations that apply to PUD-140.

**AND, BE IT FURTHER RESOLVED**, that the San Mateo County Board of Supervisors directs staff to submit the Local Coastal Program (LCP) amendments to the California Coastal Commission for certification that the amendments conform to California Coastal Act standards of review. The LCP amendments submitted to the Coastal Commission include the Land Use Plan changes that are a part of this Resolution as well as the attached Ordinance amendments.

**AND, BE IT FURTHER RESOLVED**, that the Local Coastal Program amendments shall not have the force of law until thirty (30) days after the California Coastal Commission has confirmed that the County's action acknowledging the Commission's certification, and accepting any modifications required as a condition of certification, is legally adequate.